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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,360	05/09/2001	Gopikrishna T. Kumar	10007291-1	4719

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

WILLIAMS, JEFFERY L

ART UNIT	PAPER NUMBER
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2137

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/852,360

Applicant(s)

KUMAR ET AL.

Examiner

Jeffery Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to the communication filed on 11/3/06.

Claims 1 – 13 are pending.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/3/06 has been entered.

Response to Arguments

Applicant's arguments filed 6/27/06 have been fully considered but they are not persuasive.

Applicant argues primarily that:

(i) *Applicants continue to traverse the rejection under 35 USC §102(e) over US patent 6,643,701 to Aziz et al. ("Aziz"), the rejection under 35 USC §103(a) over Aziz in view of "Davis" (U.S. Patent No. 6,367,009 to Davis et al.), and the rejection under 35 USC §103(a) over the Aziz-Davis combination in view of "Sparks" (U.S. Patent No. 6,167,382 to Sparks et al.). The traversals of the rejections of the previous Office Action and the arguments presented in response to those rejections, as set forth in the Amendment dated June 21, 2006, are maintained and incorporated by reference in this response.*

In response, the examiner respectfully directs that applicant's attention to the Final Office Action (9/7/06) for the response to these arguments.

The claim rejections under 35 USC §102(e) and 35 USC §103(a) set forth within the Final Office Action (9/7/06) are maintained. Furthermore, in response to the applicant's request for continued examination, the examiner finds additional Prior Art to be pertinent and applies the following rejections.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nguyen et al. (Nguyen), "System, Method, and Article of Manufacture for a

Gateways System Architecture with System Administration Information

Accessible from a Browser", U.S. Patent 5,931,917 in view of Davis et al. (Davis),

U.S. Patent 6,367,009.

Regarding claim 1, Nguyen discloses:

generating at the gateway module respective first session identifiers upon receipt of initial requests from the communication devices (63:32-34,38-40) at the gateway module and transmitting the first session identifiers to the application program (fig. 20b, 20c; 65:28-48);

associating the first session identifiers with corresponding second session identifiers from the application program at the gateway module (19:4-9; 20:10-22).

wherein respective connections are established between the communications devices and the application program (fig. 22).

and in response to each subsequent communication from each device to the application program via the connection between the device and the application program while the connection is established, transmitting from the gateway module to the application program the second session identifier that is associated with the first session identifier of the devices of the subsequent communication (19:4-9; 20:10-22).

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1 Regarding claim 1, the examiner notes that Nguyen does not explicitly state that
2 communication devices may be described as mobile. However, Nguyen makes clear
3 that a user may employ any computing device from any location in the world for the
4 purpose of conducting commercial transactions (63:32-38).

5 Davis discloses that it was well known in the art for users to employ mobile
6 computing devices to conduct commercial transactions (1:48-66; 8:44-67). It would
7 have been obvious to one of ordinary skill in the art to recognize the teachings of Davis
8 for *mobile* computing devices within the teachings of Nguyen for *any* computing device.
9 This would have been obvious because one of ordinary skill in the art would have been
10 motivated to employ known and useful methods of prior art.

11
12 Regarding claim 2, the combination discloses:
13 *receiving requests of a first type from the mobile devices at the gateway module*
14 *and transferring the first type requests to an authentication module that manages user*
15 *authentication; and when a user at a mobile device has not logged-in to the*
16 *authentication module, transmitting a log-in prompt from the authentication module to*
17 *the mobile device in response to a request of the first type from the mobile device (figs.*
18 *28, 29, 31).*

19
20 Regarding claim 3, the combination discloses:

1 *generating at the authentication module respective authentication identifiers for*
2 *the first session identifiers and associating the authentication identifiers with*
3 *corresponding first session identifiers (88:24-44).*

4
5 Regarding claim 4, it is the apparatus implementing the method of claim 1, and it
6 is rejected, at least, the same reasons.

7
8 Regarding claim 5, it is rejected, at least, for the same reasons as claim 1, and
9 furthermore, because the combination discloses the use of wireless communications
10 between system elements (Davis, 1:48-66; 8:44-67).

11
12 Regarding claim 6, the combination discloses:

13 *receiving checkout requests from the wireless communication devices at the*
14 *gateway module and transferring the checkout requests to a wallet module that*
15 *manages user authentication (Nguyen, fig. 28:2830, 2850-2882);*

16 *when a user at a wireless communications device has logged-in to the wallet*
17 *module, transmitting payment options from the wallet module to the wireless*
18 *communications device in response to a checkout request from the wireless*
19 *communications device (Nguyen, fig. 27:2708,2704);*

20 *when a user at a wireless communications device has not logged-in to the wallet*
21 *module, transmitting a log-in prompt from the wallet module to the wireless*

1 *communications device in response to a checkout request from the wireless*
2 *communications device (Nguyen, fig. 31).*

3
4 Regarding claims 6 and 7, they are rejected, at least, for the same reasons as
5 claims 2 and 3.

6
7 Regarding claim 8, the combination discloses:
8 *in response to a payment request from a wireless communications device,*
9 *transmitting the payment request from the gateway module to the merchant application*
10 *(Nguyen, fig. 3, 28);*

11 *disassociating the wireless session identifier from the corresponding merchant*
12 *session identifier (66:25-30),*
13 *generating a new wireless session identifier for the wireless communications*
14 *device when another initial request is received from the wireless communications device*
15 *(see the above claims for repeating the disclosed process).*

16
17 Regarding claim 9, the combination discloses:
18 *clearing inactive entries from the wallet session identifier table (Nguyen, 66:25-*
19 *30, 53-60).*

Regarding claim 10, it is rejected, at least, for the same reasons as claims 1 and 5.

Regarding claims 11 – 13, they are system implementing the method of claims 1 – 3, and they are rejected, at least, for the same reasons.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

See Notice of References Cited.

A shortened statutory period for reply is set to expire **3** months (not less than 90 days) from the mailing date of this communication.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery Williams whose telephone number is (571) 272-7965. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone

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number for the organization where this application or proceeding is assigned is (703)
872-9306.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

J. Williams
AU: 2137

JW


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER